

# The Spark!



May/June 2011

## Official Newsletter of CUPE Local3909

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Proudly Representing Teaching Assistants, Grader-Markers, Tutors, Librarians, Lab Demonstrators, Seminar Leaders, Student and Sessional Instructors at the University of Manitoba

**Unit 1 Collective Agreement**  
Membership ratifies new deal

**Unit 2 Gears Up for Bargaining**  
Survey of Sessionals on its way

**CUPW On Strike:**  
The importance of Solidarity



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**May/June 2011**

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# *Welcome*

Welcome to all new members of CUPE 3909. This Union Local exists to provide a collective voice during negotiations for the collective agreements that govern your employment and to protect and enforce those collective agreements during the period of your employment. We invite you to call or visit the office if you are seeking information relating to the Local's operations and/or your workplace and membership issues. There are two general membership meetings per year and all our members are encouraged to attend. Our newsletter is designed to keep our members informed of information of interest to CUPE 3909 specifically and the labour movement in general. The Spark is published ten times per year and is sent to you via the listserve or through interdepartmental mail.

Unions are, by nature, participatory and respond to members' demands. For this reason, it is important that you communicate all of your questions, concerns and issues to the office or to the executive. Most importantly, please read your contract and the Collective Agreement for your bargaining group (Unit 1 if you are a Teaching Assistant, Grader/Marker, Tutor, Lab Demonstrator, Seminar Leader, or Student Lecturer; Unit 2 if you are a Sessional Instructor, Sessional/Part Time Librarian, Counsellor, or Music Teacher). If there are points that you do not understand or if you find that during the course of your employment the agreement is violated, please contact the office or email your VP. The Local will help you determine how to proceed.

## **We Can Help!**

- Advice on issues of concern to you as a university employee
- Information and support when you think your rights have been violated
- Investigation and Initiation of formal complaints (grievances) against U of M on your behalf
- Assistance with Employment Insurance Claims
- Referrals to additional sources of help when you have any problem
- Answers to questions about your rights and duties
- Union officers to represent you or accompany you when disagreements arise
- Support for visa students facing bureaucratic hang-ups
- Guidance in dealing with student complaints
- Tips on handling differences with your professor / employment supervisor.

# **Unit 1 Collective Agreement Ratified**

## **Rejection of “final offer” leads to gains at the bargaining table**

Following the April 29<sup>th</sup>, 2011 rejection of the University’s first offer by CUPE 3909 members and the authorization of strike action, your bargaining committee requested that the provincial government appoint a Conciliator to assist in further negotiations between the University and your bargaining committee.

A Provincially appointed Conciliator, Mr. Peter Sheppit, met with both parties on May 9, 2011. With the additions to the proposed agreement, noted below, Mr. Sheppit recommended that the Union accept the offer presented by the University. After much deliberation, the bargaining committee and the 3909 executive came to the conclusion that it was the best offer the Union would be receiving. Given the climate of public sector collective bargaining where two year wage freezes have become standard, we did not believe strike action would be appropriate or highly effective. While we did not achieve everything we had hoped for in conciliation, the union’s strong strike mandate resulting from the April 29<sup>th</sup> vote did force the University to make several major improvements in their offer. These improvements included:





## **Collective Agreement Ratified (continued)**

- Improvements for student lecturer/instructors: significant increase in paid hours for summer courses & course cancellation fees
- A new, higher paying, Level 3 TA designation for courses that require a TA with a master's degree

Additionally, it is important to note that as a result of this collective agreement, there is a new joint union-management committee to review hours worked versus hours paid. We know that many of our fellow student-academic workers put in far more hours than they are paid, and this committee will be a major tool going forward to rectify this wrong. If you have worked more hours than you have been paid, or know of others in your departments who work more hours than they are being paid, we strongly encourage you to contact the union office. Just this past month your union executive were successful in having one Teaching Assistant compensated for fifty hours of unpaid labour – and we can help you too!

Finally, thank you to everyone who came out to vote, who encouraged their friends and colleagues to come out to vote, and who attended bargaining and union meetings throughout this past year. Your feedback and support was essential in our attainment of these improvements to our collective agreement.

In Solidarity,

Matt McLean

President, CUPE Local 3909



**We Want YOU -  
To write for the Spark!**

Submit Content to [sec.cupe3909@gmail.com](mailto:sec.cupe3909@gmail.com)  
or suggest ideas for a story

# KNOW YOUR RIGHTS AT WORK

## Seniority

Seniority for members of CUPE 3909 begins on the date of hire to CUPE 3909 but is recorded and applied differently in Units 1 and 2.

UNIT 1: Seniority tracks your hours worked and is limited to any given Job Security Period: Undergrad, Pre Masters, Masters, PhD. (12.1) If you are hired for a course and your work and academic performance are satisfactory (17.2 and 17.4) you should be offered the same appointment during the rest of your JSP. (15.9) Seniority is the determining factor when there is more than one candidate with relatively equal qualifications. (15.3) The new Collective Agreement increases hours assigned to Summer Session courses for Lecturer/Instructor positions

to match Regular Session hours. This will have a positive effect on your seniority (pending approval of the new Collective Agreement by the Board of Governors).

Unit 1 members may check their seniority at [http://umanitoba.ca/admin/human\\_resources/services/lists/](http://umanitoba.ca/admin/human_resources/services/lists/)

Seniority is posted on or before March 1 and then again on June 1. If you notice an error you have 20 working days to submit a correction. (12.2 and 12.3) **CONTACT THE UNION IF YOU NOTICE AN ERROR.**

UNIT 2: Seniority is lost after July 15 of the second academic year subsequent to the last academic year of employment. For example, if you worked in any term of the 2009-2010 academic year but then did not have any further appointments, you will maintain your seniority until July 15, 2012. (11.4) Where there is more than one candidate equally qualified to teach a course (subject to the department head's fair and reasonable discretion) the person with the most seniority shall be appointed. (11.5) This is also the case when there is more than one candidate with Right of First Refusal. (11.6.B.4)

There is currently no way to determine how you compare to other Sessionals in terms of seniority. We suggest that you check with your department so that you may keep your seniority in mind when appointments are posted. **CONTACT THE UNION IF YOU ARE UNABLE TO ACCESS THIS INFORMATION THROUGH YOUR DEPARTMENT.**

# THESE ARE YOUR RIGHTS!

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# Overworked?

## **Are you expected to work more hours than you are being paid for?**

If so you are not alone. Many of our members report that the hours they actually work do not correspond to the hours for which they are being paid. Unfortunately, this issue can be very difficult for Cupe 3909 to find out about, as we are not a union that has a “shop floor”. In other words, we work in isolation from each other, on our own time and thus have difficulty determining if our members are being treated fairly and equally. Many members believe that working unpaid hours is unavoidable or that there is nothing the union can do about it. However, we CAN help you if you contact the union. A basic tenet of labour unions is that you must be paid for all of the work that you do. The majority of UNIT 1 members are paid hourly wages and are hired for contracts that give only a vague job description and a total of hours for the term. According to the Collective Agreement, your employment supervisor should meet with you to discuss expectations. Ideally, the employment supervisor would also help you determine how much time to dedicate to each task in your job description, indicating that some thought has been given to the assignment of hours for the appointment. Some departments supply log sheets and request that you present your hours bi-weekly, keeping a

proper account of the work that you have done and compensating you accordingly. If this is not the case in your department, please go to [www.3909.cupe.ca](http://www.3909.cupe.ca) and download the Hours Tracking Form. Keep track of your hours and report any extra hours to your supervisor. If at the end of your contract you do NOT get paid for all of the hours you have documented, contact the Union. You may initiate a formal grievance procedure or submit your information so that an investigation may be undertaken by the new joint Union/University committee tasked with reviewing significant discrepancies between hours assigned and actual work hours required (pending approval of the new Collective Agreement by the Board of Governors). Student and Sessional Instructors are paid by stipend, leading to similar issues regarding discrepancies between hours worked and pay calculated. Sessionals are assigned 180 hours to complete all work associated with a 3 credit hour course to a maximum of 40 hours per week, disallowing you from applying for overtime pay. Surprisingly, in their positions as Lecturer/Instructors, students doing the same work as Sessionals are assigned considerably fewer hours, currently at 146.5 hours for a 3 credit hour course. This will increase to 168 once the new Collective Agreement has been approved by the Board of Governors. We are currently working on an hours tracking form for Instructors. While recording hours may be complicated, we are concerned that the number of hours assigned by the University is insufficient for the amount of time that most Instructors need to complete their work and we would like to present evidence of this discrepancy to the University.

# **Unit 2 Update**

## **Membership Survey on its Way**

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Things are heating up in Unit 2 as we approach negotiations. Our current contract expires at the end of August this year. The Local Union has elected a new bargaining committee consisting of Karen Naylor, Ana Vialard, George Buri and Matt McLean (President Local 3909) and we are all very excited to get to the bargaining table.

Sessional Instructors and Employees are the backbone of the University. We bring credibility and prestige to the institution. We fill in all the blanks in the curriculum with knowledge and dedication. And yet, we are among the lowest paid sessionals in all of Canada. We have limited job security and the vast majority of sessionals do not qualify for the benefit plans.

One of the problems the Union faces with this group is that we are fairly isolated in our departments and lack cohesion and collective consciousness. In order to bring us closer together and learn more about each other, the bargaining committee has put together a comprehensive survey sheet that we will be sending out to all of our members by mail. The survey can be mailed back to us or completed online. It is very important for the membership to complete the survey and send it back for two reasons. First, it provides the Union with information and guidance to assist us in reaching an agreement that meets the needs of the membership. Second, we are offering a great prize to be drawn for amongst everyone who completes the survey.

We have been “cheap labour” for too long. It is time to take a stand. Support your bargaining committee. Fill out the survey. Call the Local Union Office and provide us with information as to what you would like to see happen with respect to your wages, working conditions and benefits. Know your rights as a Union Member.

### **Promotion and Job Security**

University of Manitoba sessional instructors do not receive promotion based upon past service. That is, unlike full-time faculty who receive an incremental raise each year, a sessional instructor will never be given a raise based upon their level of teaching experience and/or years of service given to the University. Furthermore, until our most recent collective agreement, sessional instructors at University of Manitoba had absolutely nothing in the way of job security via right of first refusal. As it stands, right of first refusal is more difficult for instructors at U of M to obtain than at virtually any other University with a similar system. If reward for service and job security are important issues to you let us know on the upcoming survey and we will fight to improve the situation in the next collective agreement.



## Local News

### Cupe Members Picket in Support of Striking Bristol Workers

On the afternoon of Wednesday, May 4<sup>th</sup>, union members descended on Bristol Aerospace in Winnipeg in a mass show of solidarity with striking workers. Over 200 people attended the mass picket organized by the Manitoba Federation of Labour, representing various unions, including CUPE, Steelworkers, CAW, CUPW and UFCW.

Workers at Bristol, who are members of CAW 3005, have been on strike since early April. Management at Bristol is demanding many concessions of the workers, with a particular focus on employee pensions. Bristol management wants to eliminate a pension supplement that workers fought for and won many years ago.

CUPE 3909 members are proud to support our brothers and sisters in the struggle. Not only is the

solidarity of labour a fundamental principle to CUPE members as unionists, but we have common interests with CAW members in defending and preserving pensions. Our members, both young workers and those nearing retirement, have an interest in defending pension benefits. After all, everyone deserves a decent retirement, and if attacks on other workers' pensions stand, it will make it that much easier for our pensions to come under attack.

An injury to one is an injury to all! Solidarity with striking and locked out workers everywhere!

(Editor's Note: As of June 5th the union representing the Bristol workers has reached a tentative deal with management. Local President Branko Maligec, reported being "delighted" with the deal". (Courtesy Winnipeg Free Press June 6th 2011)



*Cupe members walk the picket line in solidarity with striking Bristol workers (photo credit: Brian Latour)*



# National News: CUPW Strike

## Five reasons to support postal workers

*Jesse McLaren. Rabble.ca. May 30 2011*

The Canadian Union of Postal Workers (CUPW) has filed notice to strike at 11:59 p.m. June 2, to defend public postal service and stop massive concessions that scapegoat workers for the economic crisis. Postal workers have stood up for many social justice issues, and their strike could trigger broader opposition to Harper's austerity agenda. They have voted almost 95 per cent for a strike mandate, and here are five reasons why solidarity needs to receive an equally strong mandate.

### 1) Postal workers are under attack

In its drive to make work more "modern" and "efficient" (i.e. profitable), Canada Post Corporation is imposing working conditions that threaten the health and safety of its workers. According to Bob Tyre, president of the Winnipeg local of CUPW,

"You're walking with different shapes and sizes balanced in your arm, with another in your hand. It obscures your feet. You can't see where you're walking, and you're up and down stairs all day. You have to hold your arm rigid and balance the load while you're walking. It's caused a lot of slip and fall injuries, a lot of shoulder, arm, and neck pain."

Now Canada Post is trying to roll back the compensation for this dangerous work. According to CUPW president Denis Lemelin,

"The Corporation wants to pay new employees 30 per cent less. It wants to reduce their benefits, weaken their job security and provide an inferior pension. It also wants to attack retiree benefits and sick leave, and turn back the clock on many other contract provisions."

An injury to one is an injury to all, so we need to support the postal workers' defense of healthy work conditions and decent pay.

Advertising

### 2) Postal workers are standing up for good public services

The mainstream media are trying to pit postal workers against those who depend on postal service. But it's Canada Post Corporation that has been cutting services, closing offices, and trying to privatize postal services; former CEO Moya Greene left Canada Post to continue pushing privatization on Royal Mail in Britain.

Meanwhile, CUPW has a history of linking good jobs with good services, organizing against rural post office closures alongside unionization for rural and suburban mail carriers. During this round of negotiations CUPW wants to regularize temporary employees and increase the number of full-time workers, while increasing door-to-door delivery and increase staffing at postal outlets. If we want a strong public postal service, we need to

## Five reasons to support postal workers (continued)

support those who provide it and those who are taking a stand to defend it.

### 3) This is part of a broader austerity agenda

Despite making profits for the past 16 years -- including \$281 million in 2009, and having the highest paid public service bureaucrat -- Canada Post Corporation is blaming workers. This is part of a broader austerity agenda to make ordinary people pay for the economic crisis they did not create (For more on this, visit the rabble tv interview with labour specialist Philip Jennins). As Lynn Bue, CUPW's second national vice-president stated, "This is a fight against an ideology from the government, from banks, that big businesses should make more, and people should live

on poverty wages."

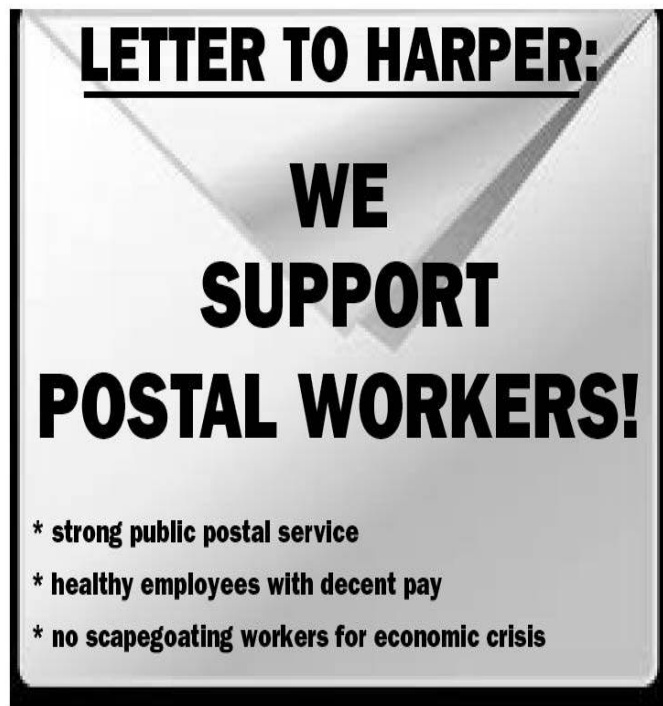
Prime Minister Harper used the G20 meeting last year to push an austerity agenda, and this week is visiting Greece to support austerity there -- which includes privatization, massive cuts to social services, layoffs and attacks on pensions. That's what Harper wants to bring to Canada and the CUPW strike is his first obstacle. A defeat for CUPW will be a victory for Harper and his corporate backers across the country. A victory for CUPW will build unity and confidence for others to resist the austerity agenda. This is a fight for all of us.

### 4) Postal workers stood up for us. It's time for us to stand up with them

Postal workers have a long history of standing up for women's rights, civil liberties, peace and justice. This year is the 30th anniversary of CUPW's strike for paid maternity leave. Following the lead of the Common Front of public sector workers in Quebec, postal workers struck for 42 days in 1981 and became the first federal union to win paid maternity leave -- encouraging others to demand this basic right.

CUPW was the first Canadian union to boycott South African Apartheid, and the first to join the BDS campaign against Israeli Apartheid, in addition to organizing mail for the Canada/Quebec Boat to Gaza. CUPW has also been part of the campaign to oppose secret trials in Canada, and oppose the war in Afghanistan.

More broadly, the labour movement has been central to Medicare and abortion rights, opposing



## Five reasons to support postal workers (continued)

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the Iraq War, and standing up against austerity -- from the G20 protest last year to last month's protest against Toronto mayor Rob Ford. Now's the time for all of us to reciprocate this solidarity.

5) This strike could trigger broader opposition to Harper

There is tremendous ideological resistance to the Harper agenda -- from majority support for Medicare, abortion rights, and war resisters, to majority opposition to the war on Afghanistan, fighter jets and corporate tax cuts. May 2 saw this translate into political resistance as people across Canada and Quebec gave a historic mandate to the NDP opposition, marking a surge for the left from coast to coast. But with a Harper majority, the Official Opposition can't win on its own in Parliament, it needs opposition in the streets and workplaces. The postal strike offers the chance to connect the "orange wave" of political resistance to economic resistance against the Harper agenda. This can lay the foundation for future struggles, as developments in Egypt show.

In 2006 -- after years of opposition to occupations of Palestine and Iraq, and the beginnings of opposition to Egyptian dictator Hosni Mubarak -- women textile workers in Mahalla went on strike, triggering a wave of economic resistance that amplified political and ideological resistance. This strike wave planted the seeds for the Egyptian revolution that blossomed this year, further strikes by workers in Mahalla and elsewhere finally drove Mubarak from power, and Egyptian

workers are continuing the revolution by organizing independent trade unions and continuing to strike for better conditions.

People across Canada and Quebec have been inspired by resistance from Egypt to Wisconsin, and hope for similar resistance here. We've seen the beginnings of political resistance against austerity: ten thousand mobilized in Hamilton on January 26, 75,000 in Montreal on March 20, ten thousand more in Toronto on April 9 and then 2 million more from coast to coast voted for the NDP on May 2. Now we have the chance to have our own Mahalla, a strike that can build from previous struggles, deepen solidarity and strength across Canada and Quebec, and take opposition to Harper to a whole new level.

\* To send a letter to Canada Post Corporation and find out how else you can help visit CUPW's site.

\* Put support posters in your window or on street posts -- copy the image at the top of this article or download others at the solidarity site Support Postal Workers.

\* Write a letter to the editor of your local paper, or call your local radio station, to explain why you support postal workers.

\* Visit your local picket line to show solidarity.

\* Send solidarity messages or strike support funds to CUPW from your labour/student union, community organization or faith group.